

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

LAWRENCE K. BAERMAN
Clerk

JOHN M. DOMURAD
Chief Deputy

U.S. Courthouse
10 Broad Street
Utica, New York 13501
(315) 793-8151
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June 29, 2005

Sarah Allison Thornton, Clerk
United States District Court
District of Massachusetts
Attention: Christine Patch
1 Courthouse Way
Boston, MA 02210

RE: MDL Docket No. 1456 In Re: Pharmaceutical Industry Average Wholesale Price
Litigation
USDC - Massachusetts Lead Case No. 1:01CV12257-PBS
NDNY Case Number 6:05-cv-0519, The County of Fulton -v- Abbott Laboratories, Inc.,
et al.

Dear Ms. Patch:

Enclosed please find a copy of the Order of the Judicial Panel on Multi-District Litigation, transferring the above case to your court, together with a certified copy of the case docket and cover letter, as requested. As it is understood that your court is live on CM / ECF, please be advised that the file is available in electronic format on this court's internal website (available through J-Net), by clicking on the link CM-ECF Quick Query on our homepage. If you would prefer receiving hard copies of documents in this file, or if I can assist you in any other way, please contact me at the above number.

Very truly yours,

LAWRENCE K. BAERMAN, CLERK

s/

By: Susan Evans
Deputy Clerk

se

cc: Counsel of record
file

CLOSED

U.S. District Court
Northern District of New York [LIVE - Version 2.4] (Utica)
CIVIL DOCKET FOR CASE #: 6:05-cv-00519-DNH-DEP

The County of Fulton v. Abbott Laboratories, Inc. Date Filed: 04/29/2005
et al Jury Demand: None
Assigned to: Judge David N. Hurd Nature of Suit: 890 Other
Referred to: Magistrate Judge David E. Peebles Statutory Actions
Cause: 28:1331 Fed. Question: Breach of Contract Jurisdiction: Federal Question

Plaintiff

Fulton County

represented by **Aaron D. Hovan**
Kirby, McInerney Law Firm
830 Third Avenue
New York, NY 10022
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

County of Fulton

represented by **Aaron D. Hovan**
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

Abbott Laboratories, Inc.

Defendant

Agouron Pharmaceuticals, Inc.

Defendant

Alcon Laboratories, Inc.

Defendant

Allergan, Inc.

Defendant

Alpharma, Inc.

Defendant

Amgen, Inc.

Defendant

Andrx Corp.

Defendant

**Astrazeneca Pharmaceuticals
L.P.**

Defendant

Aventis Pharmaceuticals, Inc.

Defendant

Barr Laboratories, Inc.

Defendant

Bayer Corp.

Defendant

Ben Venue Laboratories, Inc.

Defendant

Berlex Laboratories, Inc.

Defendant

Biogen Idec, Inc.

Defendant

Biovail Pharmaceuticals, Inc.

Defendant

Boehringer Ingelheim Corp.

Defendant

**Boehringer Ingelheim
Pharmaceuticals, Inc.**

Defendant

**Bristol-Meyers Squibb
Company**

Defendant

Dermik Laboratories, Inc.

Defendant

Dey, Inc.

Defendant

Eisai, Inc.

Defendant

Eli Lilly and Company

Defendant

Endo Pharmaceuticals, Inc.

Defendant

Ethex Corp.

Defendant

Forest Laboratories, Inc.

Defendant

Forest Pharmaceuticals, Inc.

Defendant

Fujisawa Healthcare, Inc.

Defendant

Fujisawa USA, Inc.

Defendant

Genentech, Inc.

Defendant

Genzyme Corp.

Defendant

Gilead Sciences, Inc.

Defendant

Glaxosmithkline, P.L.C.

Defendant

Greenstone, Ltd.

Defendant

Hoffman-La Roche, Inc.

Defendant

Immunex Corp.

Defendant

Ivax Corp.

Defendant

Ivax Pharmaceuticals, Inc.

Defendant

**Janssen Pharmaceutica
Products, LP**

Defendant

Johnson & Johnson

Defendant

King Pharmaceuticals

Defendant

McNeil-PPC, Inc.

Defendant

Medimmune, Inc.

Defendant

Merck & Co., Inc.

Defendant

Monarch Pharmaceuticals, Inc.

Defendant

Mylan Laboratories, Inc.

Defendant

Mylan Pharmaceuticals, Inc.

Defendant

**Novartis Pharmaceuticals
Corp.**

Defendant

**Novo Nordisk Pharmaceuticals,
Inc.**

Defendant

**Oncology Therapeutics
Network Corp.**

Defendant

**Organon Pharmaceuticals
USA, Inc.**

Defendant

Ortho Biotech Products LP

Defendant

**Ortho-McNeil Pharmaceutical,
Inc.**

Defendant

Par Pharmaceutical, Inc.

Defendant

Pfizer, Inc.

Defendant

Pharmacia Corp.

Defendant

Purdue Pharma, L.P.

Defendant

Purepac Pharmaceutical Co.

Defendant

Reliant Pharmaceuticals

Defendant

Roche Laboratories, Inc.

Defendant

Roxane Laboratories, Inc.

Defendant

Sandoz, Inc.

Defendant

Sanofi-Synthelabo, Inc.

Defendant

Schering Corp.

Defendant

Schering-Plough Corp.

Defendant

Smithklinebeeckam Corp.

doing business as

Glaxosmithkline

Defendant

**Takeda Pharmaceuticals North
America, Inc.**

Defendant

**Tap Pharmaceutical Products,
Inc.**

Defendant

Teva Pharmaceutical USA, Inc.

Defendant

UCB Pharma, Inc.

Defendant

UDL Laboratories, Inc.

Defendant

Warrick Pharmaceuticals Corp.

Defendant

Watson Pharma, Inc.

Defendant

Watson Pharmaceuticals, Inc.

Defendant

Wyeth

Date Filed	#	Docket Text
04/28/2005	<u>1</u>	COMPLAINT against Alcon Laboratories, Inc., Allergan, Inc., Alpharma, Inc., Amgen, Inc., Andrx Corp., Astrazeneca Pharmaceuticals L.P., Aventis Pharmaceuticals, Inc., Barr Laboratories, Inc., Bayer Corp., Ben Venue Laboratories, Inc., Berlex Laboratories, Inc., Biogen Idec, Inc., Biovail Pharmaceuticals, Inc., Boehringer Ingelheim Corp., Boehringer Ingelheim Pharmaceuticals, Inc., Bristol-Meyers Squibb Company, Dermik Laboratories, Inc., Dey, Inc., Eisai, Inc., Eli Lilly and Company, Endo Pharmaceuticals, Inc., Ethex Corp., Forest Laboratories, Inc., Forest Pharmaceuticals, Inc., Fujisawa Healthcare, Inc., Fujisawa USA, Inc., Genentech, Inc., Genzyme Corp., Gilead Sciences, Inc., Glaxosmithkline, P.L.C., Greenstone, Ltd., Hoffman-La Roche, Inc., Immunex Corp., Ivax Corp., Ivax Pharmaceuticals, Inc., Janssen Pharmaceutica Products, LP, Johnson & Johnson, King Pharmaceuticals, McNeil-PPC, Inc., Medimmune, Inc., Merck & Co., Inc., Monarch Pharmaceuticals, Inc., Mylan Laboratories, Inc., Mylan Pharmaceuticals, Inc., Novartis Pharmaceuticals Corp., Novo Nordisk Pharmaceuticals, Inc., Oncology

		<p>Therapeutics Network Corp., Organon Pharmaceuticals USA, Inc., Ortho Biotech Products LP, Ortho-McNeil Pharmaceutical, Inc., Par Pharmaceutical, Inc., Pfizer, Inc., Pharmacia Corp., Purdue Pharma, L.P., Purepac Pharmaceutical Co., Reliant Pharmaceuticals, Roche Laboratories, Inc., Roxane Laboratories, Inc., Sandoz, Inc., Sanofi-Synthelabo, Inc., Schering Corp., Schering-Plough Corp., Smithklinebeechem Corp., Takeda Pharmaceuticals North America, Inc., Tap Pharmaceutical Products, Inc., Teva Pharmaceutical USA, Inc., UCB Pharma, Inc., UDL Laboratories, Inc., Warrick Pharmaceuticals Corp., Watson Pharma, Inc., Watson Pharmaceuticals, Inc., Wyeth, Abbott Laboratories, Inc., Agouron Pharmaceuticals, Inc. (Filing fee \$ 250 receipt number ALB000756) filed by The County of Fulton. (Attachments: # 1 Exhibit(s) A# 2 Memorandum of Law B# 3 Exhibit(s) C# 4 Exhibit(s) D# 5 Exhibit(s) E)(ban) (Entered: 04/29/2005)</p>
04/28/2005		<p>Summons Issued as to Alcon Laboratories, Inc., Allergan, Inc., Alpharma, Inc., Amgen, Inc., Andrx Corp., Astrazeneca Pharmaceuticals L.P., Aventis Pharmaceuticals, Inc., Barr Laboratories, Inc., Bayer Corp., Ben Venue Laboratories, Inc., Berlex Laboratories, Inc., Biogen Idec, Inc., Biovail Pharmaceuticals, Inc., Boehringer Ingelheim Corp., Boehringer Ingelheim Pharmaceuticals, Inc., Bristol-Meyers Squibb Company, Dermik Laboratories, Inc., Dey, Inc., Eisai, Inc., Eli Lilly and Company, Endo Pharmaceuticals, Inc., Ethex Corp., Forest Laboratories, Inc., Forest Pharmaceuticals, Inc., Fujisawa Healthcare, Inc., Fujisawa USA, Inc., Genentech, Inc., Genzyme Corp., Gilead Sciences, Inc., Glaxosmithkline, P.L.C., Greenstone, Ltd., Hoffman-La Roche, Inc., Immunex Corp., Ivax Corp., Ivax Pharmaceuticals, Inc., Janssen Pharmaceutica Products, LP, Johnson & Johnson, King Pharmaceuticals, McNeil-PPC, Inc., Medimmune, Inc., Merck & Co., Inc., Monarch Pharmaceuticals, Inc., Mylan Laboratories, Inc., Mylan Pharmaceuticals, Inc., Novartis Pharmaceuticals Corp., Novo Nordisk Pharmaceuticals, Inc., Oncology Therapeutics Network Corp., Organon Pharmaceuticals</p>

		USA, Inc., Ortho Biotech Products LP, Ortho-McNeil Pharmaceutical, Inc., Par Pharmaceutical, Inc., Pfizer, Inc., Pharmacia Corp., Purdue Pharma, L.P., Purepac Pharmaceutical Co., Reliant Pharmaceuticals, Roche Laboratories, Inc., Roxane Laboratories, Inc., Sandoz, Inc., Sanofi-Synthelabo, Inc., Schering Corp., Schering-Plough Corp., Smithklinebeeckham Corp., Takeda Pharmaceuticals North America, Inc., Tap Pharmaceutical Products, Inc., Teva Pharmaceutical USA, Inc., UCB Pharma, Inc., UDL Laboratories, Inc., Warrick Pharmaceuticals Corp., Watson Pharma, Inc., Watson Pharmaceuticals, Inc., Wyeth, Abbott Laboratories, Inc., Agouron Pharmaceuticals, Inc.. (ban) (Entered: 04/29/2005)
04/28/2005	<u>2</u>	G.O. 25 FILING ORDER ISSUED Initial Conference set for 9/1/2005 09:30 AM in Syracuse before Magistrate Judge David E. Peebles. Civil Case Management Plan due by 8/22/2005. (ban) (Entered: 04/29/2005)
05/13/2005	<u>3</u>	Letter from Aaron Hovan, outside counsel requesting Adjournment of Deadlines <i>for the County of Fulton</i> . (Hovan, Aaron) (Entered: 05/13/2005)
05/19/2005		NOTICE sent to counsel by CRD for Judge Peebles. Due to the letter submitted to the court on 5/13/05 from Aaron Hovan, Esq., the Rule 16 Conference scheduled before Judge Peebles on 9/1/05 at 9:30 am in Syracuse has been ADJOURNED WITHOUT DATE. This case will be tracked until September for status. (sal,) (Entered: 05/19/2005)
06/27/2005	<u>4</u>	TRANSFER ORDER from the Judicial Panel on Multi-District Litigation, Transferring Case to the District of Massachusetts (re: Pharmaceutical Industry Average Wholesale Price Litigation). Signed by Panel Clerk Michael Beck. (see) (Entered: 06/29/2005)
06/29/2005	<u>5</u>	Copy of transmittal letter sent to District of Massachusetts. (see) (Entered: 06/29/2005)
07/01/2005	<u>6</u>	Certified copy of a Transfer Order of the Judicial Panel on Multi-District Litigation. (see) (Entered: 07/01/2005)

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